**History and the Least Restrictive Environment Defined**

Educating a child with special needs in the least restrictive environment (LRE) possible is a concept that developed over time within the evolution of federal legislation regarding serving special needs children. This legislation arose out of the problem of children with special needs being excluded from school, in some cases, entirely. Schools lacked facilities to educate these children, as well as teachers with the necessary expertise to educate children with special needs(Crockett, 2000).

The concerns of a number of parent advocates that school districts were at best doing nothing to educate their children, and at worst, excluding their children from the opportunities for education, led to the pursuit of a number of legal cases which resulted in important federal mandates attempting to ensure an educational experiences for children with disabilities. Drawing inspiration from the twentieth century’s most important piece of civil rights legislation, Brown v the Topeka Board of Education, parent and legal advocates pursued educational rights for children with disabilities (McLaughlin, 2010). Two particular cases, the Pennsylvania Association of Retarded Citizens (PARC) v the Commonwealth of Pennsylvania and a case from Washington, D.C., Mills v the Board of Education, drew upon the arguments posited in Brown, utilizing the 14th Amendment of the Unites States Constitution as its base. Whereas Brown argued that skin color was the barrier to equal protection under the law, the lawyers in the PARC and Mills cases applied this concept to physical, cognitive and behavioral disabilities (Palley, 2009).

The result of this legislation was the 1975 Education for Handicapped Person’s Act, also known as PL 94-14 which essentially created the current delivery model for special education in this country. This goal of this act was to give education for all students, establish the process of developing a student’s Individual Education Plan (IEP), giving parents the right to have their children receive an education (Crockett 2000).

PL 94-142 also addressed the need for what is termed a continuum of placement services. This continuum would outline what would eventually be termed least restrictive environment (LRE). This describes a series of educational placement options, the least restrictive environment possible being a child with disabilities participating fully in a classroom with no supports necessary, the next being pulled out of the classroom for extra supports, then placement in a separate special education classroom, separate schooling and hospitalization(Fuchs, et al, 2010). The law mandated that decisions to move a child along this continuum be made by a team of professionals who would advocate for placement based on the individual needs of the child and the supports available to the school (Crockett, 2000)

LRE was given even more attention in the passing in 1997 of the Individuals with Disabilities Education Act (IDEA), and its update in 2004 (Crockett, 2000). All the essential pieces of 94-142 were kept in place, with special emphasis on the idea that the IEP team should always consider LRE in providing a child with services. The emphasis shifted toward a movement often termed mainstreaming or inclusion, which advocates placing a child as much as possible in an environment with their nondisabled peers (McLaughlin, 2010).

Nevertheless, there remains controversy as to what defines a child’s LRE. Some would argue that a student who is thriving in a highly restrictive environment, such as a separate day school would therefore be educated in their least restrictive environment (Crocket, 2000). However, the argument exists that each child should perhaps move through the continuum of placements. Therefore, a child being educated in a district’s most restrictive environment, upon proof of progress, should be allowed to move back up the continuum (Palley 2009). However, the law provides little guidance in regards to the issues surrounding LRE. Palley notes, “standards for providing the least restrictive environment remain judicially defined in inconsistent ways.” This can make it difficult for education teams to apply the principles of the law appropriately.

The primary concern for professionals, with the guidance of IDEA is to place the child in the most appropriate setting possible. The process established by the law, requires the team to review an IEP annually and determine placement (Crockett, 2000). There is increasing pressure, particularly since the passing of No Child Left Behind, to raise the standards for special needs students, to place them in the LRE (McLaughlin, 2010). The question arises, are educators trying to raise the bar for students and therefore help them achieve, or children with disabilities being held to an unfair standard?

When considering the educational setting for a child with disabilities, the team must consider the supports necessary for that child to be successful (Source) in that setting. This is intended to be a well thought out process, “in which a wide array of variables need to be taken into consideration” (Moore 2008). This can be a tricky process because “placement or setting can be facilitating or restrictive, depending on …settings that comprise a given context” (Rueda, et al 2000). An example of this problem is presented in the following hypothetical: If a child with a learning disability would be placed in what is technically a less restrictive setting such as a regular classroom, but does not receive supports that may be necessary for that child to thrive in that classroom, the setting therefore becomes, in theory, more restrictive for that child than placement in the technically more restrictive setting of a separate instructional classroom where that child would receive the individualized supports necessary to access curriculum successfully. Thus, “the IEP team is to determine what resources the student may need to reach the common outcomes” (McLaughlin, 2010).

The purpose of the study conducted by the authors was to survey educational professionals in an attempt to determine what supports were most needed for a child with a disability to thrive in a setting that is most like those of their nondisabled peers.